[Mr. J. John Kattakayam.]

മറിച്ചും ഈവക ധനത്തെ എല്ലാ പരസ്പരസഹായസംഘങ്ങളിലും ന്യായ രഹിതമായി പ്രവർത്തിച്ചുവരുന്നു. ഏതെങ്കിലും ഒരാവശ്യത്തിനു വാങ്ങുന്ന ധനം ആ ആവശ്യത്തിനായി വിനിയോഗിക്കണമെന്നുള്ളതു നിർബന്ധമാണ്. വാസ്തവത്തിൽ ഇങ്ങിനെ ചെയ്യുന്നവർ വളരെ അപൂർവമാണ്. മേലാൽ എങ്കിലും ഈവകസംഗതികളിൽ ഡിപ്പാർട്ടുമെൻറുമേധാവിയുടെ ദൃഷ്ടി വേണ്ടതുപോലെ പതിയുമെന്നുദ്ദേശിക്കുന്നു. അതുകയാൽ ഈ സംഗതിയിൽ കൂടുതൽ ശ്രദ്ധിക്കയും ഇതിലുള്ള ദോഷങ്ങളെ ആരാഞ്ഞറിഞ്ഞു അചിരേണ പരിഹരിക്കയും ചെയ്യണമെന്നുള്ള അഭിപ്രായത്തോടുകൂടി ഞാൻ ഈ ഡിമാൻറിനെ അനുകൂലിക്കുന്നു.

The demand was put to vote and carried.

The grant was made.

DEMAND XXVII—MISCELLANEOUS CHARGES.

Rao Sahib Dr. N. Kunjan Pillai : Sir, the motion I have now to make is to ask for a grant of Rs. 9,600 under Demand XXVII—Miscellaneous Charges. This amount is required for the purchase of 800 copies of volume VII and the supplement thereto of the Regulations and Proclamations of Travancore published by Mr. Ramalingam Aiyar. The House, I am sure, knows that this is one of the volumes of a series of which six volumes were published a few years ago. The publishers of the first six volumes were Messrs. N. Krishnaswamy Aiyar and R. Ramalingam Aiyar. The surviving member of the publishers, Mr. Ramalingam Aiyar applied for permission to publish the seventh volume and bring the series up-to-date.

Mr. E. P. Varghese: May I know from the member whether they were publishing a newspaper?

Rao Sahib Dr. N. Kunjan Pillai : They are not publishing a newspaper now. I do not know whether they were doing it before.

Mr. Ramalingam Aiyar asked for permission to publish volume VII and Government granted it. The permission granted was to publish the seventh volume including in it all the Regulations and Proclamations issued since the publication of the last volume up to the end of 1109 and also to publish in a Supplement all the amended Rules and Notifications which were published under the Regulations included in the first six volumes. The conditions of the publication of these volumes were exactly the same as those under which the previous six volumes were published. When the permission was granted, Government undertook to purchase 800 copies at a price to

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be fixed by Government after the publication of the book. The book has now been published and considering the size of the volume and the amount of labour spent in its preparation, Government have fixed a price of Rs. 12 per copy of the seventh volume and supplement. This price, I must say, compares very favourably with the price of Rs. 10 per copy charged for the previous six volumes.

Mr. E. P. Varghese : May I know from the member whether there is any difference in size between those six volumes and the seventh volume?

Rao Sahib Dr. N. Kunjan Pillai : Yes, there is considerable difference. The first volume consisted of 1,031 pages, the second volume 1,496 pages, the third volume 1,312 pages, the fourth volume 1,420 pages, the fifth volume 1,144 pages, the sixth volume 1,549 pages and the present volume consists of 1,241 pages and the supplement about 625 pages.

Mr. E. P. Varghese : May I know whether any difference in price existed for these six volumes and if not, why?

Rao Sahib Dr. N. Kunjan Pillai : The price of the first six volumes was fixed at Rs. 10 per copy, taking into consideration the size of the various volumes and the labour involved in preparing them. The present volume is bigger than any of the previous volumes. The biggest of the previous volumes is Volume VI which consists of 1,549 pages and the present volume together with the supplement consists of about 1,876 pages. Government took into consideration all the factors and decided that Rs. 12 would be a reasonable prize for a copy of the seventh volume and the supplement. To purchase 800 copies of these volumes Government have to pay Rs. 9,600. This was an expenditure that could not be foreseen at the time of the preparation of the budget for the current year.

Mr. E. P. Varghese : May I know from the member whether the Government entered into a contract to pay Rs. 12 per copy of the seventh volume?

Rao Sahib Dr. N. Kunjan Pillai : Government have agreed to purchase 800 copies from the publisher at Rs. 12 per copy of Volume VII together with the Supplement.

As I said, the expenditure could not be foreseen at the time of the preparation of the budget, because the condition was that the price would be fixed only after the publication of the volumes. They have been published only recently and the price could be fixed only now. The price has now been fixed and Government require Rs. 9,600 to purchase 800 copies and I hope the House will allow the grant.

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Mr. Kochikal P. Balakrishnan Tampi : Sir, I rise to oppose the demand—not because I find that these books are not necessary, they are highly essential for Government, for people in the legal profession, for Heads of Departments, I admit it—but I oppose it in order to protest against the manner in which the whole thing has been done. I am sure that Government would not say that it is such an emergent matter as to be certified under Rule 76 or Section 32 of Regulation II of 1108 or anything of the sort. When Government have entered into the bargain and fixed the price, I do not quite understand why this demand should be brought before this House as if this House is sure to endorse or ratify every act done by the Government without the permission of the House. I can understand the delicate situation the Government are in. The Government might be driven to a court of law, I admit. But I protest and strongly protest against the manner in which the Government are entering into a contract which they could not do without the previous sanction of this House. With these words I oppose the demand.

Mr. J. John Kattakayam: സർ, ഞാൻ ഈഡിമാൻഡിനെ എതുക്കുന്നു. രാജ്യത്തെ സാധുകർഷകർ അവരുടെ നട്ടെല്ലുമുറിഞ്ഞുണ്ടാക്കുന്ന ധനത്തെ ചുരുക്കംചില പ്രത്യേകവ്യക്തികളുടെ-ചില റിട്ടയർഡ് ഉദ്യോഗസ്ഥന്മാരുടെ കീശപോഷിപ്പിക്കാൻ ചിലവുചെയ്യുന്നതിനെക്കാൾ കഷ്ടതരമായി മറെറാന്നുംതന്നെയില്ല. റഗുലേഷൻ ആൻഡ് പ്രാക്ടീഷനിലെ അത്യന്തം അമൂല്യങ്ങൾക്കുംവേണ്ടി നമുക്കു ചിലവായിട്ടുള്ള തുക വാല്യുമൊന്നിനു പത്തുരൂപാവീതമാണ്. സാധുകർഷകജനത തിരുകൊടുപ്പാൻപോലും നിവൃത്തിയില്ലാതെ ബുദ്ധിമുട്ടുന്ന ഇക്കാലത്തു അനാശാസ്യമായ ഈദൃശപ്രസ്ഥാനങ്ങൾ അക്ഷേപാർഹങ്ങൾതന്നെ. ഇപ്പോൾ നമ്മുടെ മുൻപാകെ കാണപ്പെടുന്ന ഈ ബുക്കിനു രണ്ടിനുംകൂടി ഫൊരുപാ വിലവച്ചതു തുലോം കഠിനംതന്നെയാണ്.

Rao Sahib Dr. N. Kunjan Pillai : ഫൊരുപാ നിശ്ചയിച്ചിരിക്കുന്നതു രണ്ടു പുസ്തകത്തിനായിട്ടാണു; അതായതു് ഏഴാം വാല്യത്തിനും സപ്ളിമെൻറിനും കൂടിയാണു്.

Mr. J. John Kattakayam : സപ്ളിമെൻറു മുമ്പു നമുക്കുണ്ടായിരുന്നു.

Rao Sahib Dr. N. Kunjan Pillai : മുമ്പില്ലായിരുന്നു.

Mr. J. John Kattakayam : സപ്ളിമെൻറു ഗവണ്മെൻറു പ്രസ്സിൽ മുദ്രാപണംചെയ്യുകിടപ്പുണ്ടു്. അതൊക്കെ എടുത്തുകൂട്ടി ഇ

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ടിപ്പിച്ചാൽ മതിയായിരുന്നു. അതു തയ്യാറാക്കുന്നതിനു നാലുകാശിൽ കൂടുതൽ ചിലവുമില്ല.

Mr. M. N. Parameswaran Pillai : സപ്ലിമെന്ററിൽ എന്തെല്ലാം അടങ്ങിയിട്ടുണ്ടെന്നു മെമ്പർക്കറിയാമൊ? അല്ലെങ്കിൽ അതു ഗവണ്മെൻറു പ്രസ്സിൽ ഇല്ലാത്തതാണെന്നറിയാമോ?

Mr. J. John Kattakayam : ഗവണ്മെൻറുപ്രസ്സിലുണ്ടെന്നാണ് എന്റെ അറിവ്.

മുമ്പുണ്ടായിരുന്ന വാല്യങ്ങളെക്കാൾ ഇപ്പോഴത്തെ വാല്യത്തിനു കൂടുതൽ വിലവച്ചിരിക്കുന്നതിനു പറയുന്ന സമാധാനം തൃപ്തികരമല്ല. പ്രസാധകനുമായി എന്തൊ ഒരു കരാറുണ്ടെന്നും അതുകൊണ്ടു പുസ്തകം വാങ്ങിയെ തീരു എന്നും പറയുന്നു. ഞങ്ങളുടെ അധികാരത്തെ കവച്ചുകൊണ്ടുള്ള ഒരു പ്രവൃത്തിയാണതെന്നും. ഇങ്ങനെ ഗവണ്മെൻറിന് പ്രവൃത്തിക്കാമെങ്കിൽ ഈ ഡിമാൻഡ് ഈ കൗൺസിലിൽ കൊണ്ടുവരേണ്ട ആവശ്യമെന്താകുന്നു എന്നു ഞാൻ ഗവണ്മെൻറിനോടു വാദിച്ചുകൊള്ളുന്നു. മേലാലെങ്കിലും ഇങ്ങനെയുള്ള പരാതികൾ വരാതിരിക്കാൻ ശ്രദ്ധിക്കണമെന്നു ഈ അവസരത്തിൽ പ്രസ്താവിക്കാതിരിക്കുവാൻ തരമില്ല. ഗവണ്മെൻറുപ്രസ്സിൽ ഇതടിച്ചിരുന്നുവെങ്കിൽ ഇത്ര ഭീമമായ സംഖ്യ ഇതിന് ചിലവുവരികയില്ലായിരുന്നു. പ്രസാധകനുമായിട്ടു കരാറുചെയ്തിട്ടുള്ള സ്ഥിതിക്കു അതനുസരിച്ചു പ്രവർത്തിച്ചില്ലെങ്കിൽ വ്യവഹാരപ്പെട്ടു ഗവണ്മെൻറിൽനിന്നും നഷ്ടം ഈടാക്കാമെന്നു പറയുന്നുണ്ട്. ഇതുയും നഷ്ടപ്പെടാമെന്നുവച്ചു സ്ഥിതിക്കു ആ നഷ്ടംകൂടി കൊടുക്കുന്നതുകൊണ്ട് യാതൊരുവിരോധവുമില്ല. മേലാലെങ്കിലും ഈ ദുരന്തോന്മുഖങ്ങൾ പ്രവർത്തിച്ചു കളങ്കമുണ്ടാക്കിത്തീർക്കരുതെന്നു വീണ്ടുംവീണ്ടും ഉൽബോധിപ്പിച്ചുകൊള്ളുന്നു.

Mr. E. P. Varghese : I oppose the demand, as my friend Mr. Tampi said not on the ground that this volume is unnecessary, but because of the manner in which the contract has been entered into and also because of the high price which is fixed for it. First of all from what the Chief Secretary has stated, I understand that there is a considerable difference in the number of pages between the first six volumes. Rs. 10 has been fixed for the other volumes. Of course this volume consists of more pages. But the labour that has been spent on this volume is not anything in proportion to what has been spent on the previous volumes, because

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[Mr. E. P. Varghese.]

most of the Regulations that are published in this volume are only recent Regulations and there has not been many Rulings of the High Court. So, the publisher had not the necessity to spend much time in editing this volume. He had to look into the Gazette and only to reprint them. Of course here and there we find a few commentaries. There is also an index which is very valuable. The sixth volume which consists of the Civil Procedure Code is full of commentaries and a great amount of labour has been spent upon it. When compared with the labour that has been spent upon the VI volume, I think the labour that is spent upon this volume is very little. So the price of this volume has been fixed very high. That is one objection. Since this House has not got the power to reduce the amount, I have to oppose the demand as a whole.

Another reason why I oppose the motion is on account of the manner in which the demand has been brought before the House. It is said that the Government have already entered into an agreement. This House does not care whether they have entered into any agreement or not. This House has to decide the question on its own merits. If necessary a court of law has to decide whether this volume can be priced more than Rs. 10. That is a matter which may be left to the court of law. It is not for the Government to say that they have already fixed the price at Rs. 12 and because they have fixed the price and have entered into the contract we must pass it. This seems to be something like that. This seems to be a permanent or standing contract with one publisher. He has published the previons six volumes and he is given contract for the publication of the VII also. As years pass by, we will be adding to the number of our Regulations and tnis seems to become a sort of permanent contract with this particular gentleman so far as the Regulations and Proclamations are concerned. Moreover, what is our Government Press for? They are adding to the machines in the Government Press. It is better that the Government undertake the publication for the benefit of the public. The public must know the law. If any man goes to a court of law and says that he does not know the law, that will not be an excuse for him. It should be the lookout of the Government to publish them as cheap as possible. Instead of that if they hand it over to such a private concern, it is highly objectionable. On these grounds I oppose the demand.

Rao Sahib Dr. N. Kunjan Pillai: Sir, I am afraid, the Honourable members who spoke against the motion had not a chance to see the two volumes which are now in my hands. (Vol.

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VII and the Supplement were then shown to the members of the House). The Supplement is not a mere compilation of the sheets of the Gazette as my friend, Mr. John Kattakayam, seems to think. Unfortunately he does not know English and so even if I supply the volume to him he will not be able to make out what it is. I am sure the publisher must have spent a lot of labour in producing this volume.

Mr.E. P. Verghese: May I know from the member whether the labour that has been spent on this volume is much less than what has been spent on the other volumes?

Rao Sahib Dr. N. Kunjan Pillai: What I say is that a considerable amount of labour has been spent on these volumes and they are not, as some members said, mere compilations. Volume VII contains 300 pages of case law and the lawyer members may know what amount of trouble one has got to take in searching for the decisions in case law and bringing them together in one volume. Even the Regulations have not been merely compiled. The Proceedings of the Legislature at which the Bills were introduced and passed have been included in this volume in their legal settings as the writer of the Foreword, Mr. P. K. Narayana Pillai, says. All that requires a lot of labour.

Mr. G. Narayana Aiyar: May I know who fixed the price for the prior volumes?

Rao Sahib Dr. N. Kunjan Pillai: Government.

Mr. M. N. Paramesvaran Pillai: May I know from the member whether the Government think it necessary to publish the volume in Malayalam for the use of members like Mr. Kattakayam?

Rao Sahib Dr. N. Kunjan Pillai: Not at present.

Mr. G. Narayana Aiyar: May I know how the 800 copies are necessary?

Rao Sahib Dr. N. Kunjan Pillai: For distribution among the various officers of Government.

Mr. S. Piraviperumal Pillai: May I know from the member why when a general monopoly has been established in the case of English publications that monopoly is not adopted in the case of Malayalam publications?

Rao Sahib Dr. N. Kunjan Pillai: I do not think that question arises. This volume (the Supplement) contains all the Rules and Notifications published under the various Regulations since the publications of the last volume and at the end of it there is also a very useful index covering all the seven volumes. I am sure my friends, the lawyer members, will appreciate the trouble and

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[Rao Sahib Dr. N. Kunjan Pillai.]

labour the publisher has taken in preparing this volume. They will find it extremely useful in their profession. One serious objection that has been raised to this demand is that the Government have fixed the price rather high. As I said before, for the first six volumes, a price of Rs. 10 per copy was fixed, and that was in 1105. At that time, the then Dewan, the late Mr. Watts, who passed orders on this question observed as follows :

Mr. M. N. Paramesvaran Pillai : May I know from the member whether the late Mr. Watts was not a student of Mr. Krishnaswami Aiyar ?

Rao Sahib Dr. N. Kunjan Pillai : It was some years back. I cannot say that.

Mr. J. John Kattakayam: മി. കൃഷ്ണസ്വാമി അയ്യർ ഒരു ഗവണ്മെൻറുദ്യോഗസ്ഥനായിരുന്നുവോ?

Rao Sahib Dr. N. Kunjan Pillai: ഈ പുസ്തകങ്ങൾ പ്രസിദ്ധീകരിച്ച കാലത്തു അല്ലായിരുന്നു.

Mr. J. John Kattakayam : ഇതു പ്രസിദ്ധീകരിക്കുന്നതിനു മുമ്പു അദ്ദേഹം ഒരു സർക്കാർ ഉദ്യോഗസ്ഥനായിരുന്നുവോ?

Rao Sahib Dr. N. Kunjan Pillai: There is no comparison between the last edition and the present one and it is wrong to say that it is a mere compilation.

Mr. J. John Kattakayam: ഈ പുസ്തകം വെളിയിൽ വരുന്നതിനുമുമ്പു മി. കൃഷ്ണസ്വാമി അയ്യർ ഒരു ഗവണ്മെൻറുദ്യോഗസ്ഥനായിരുന്നുവോ എന്നാണു് ഞാൻ ചോദിച്ചതു്?

Rao Sahib Dr. N. Kunjan Pillai: അയിരുന്നു.

Rao Sahib Dr. N. Kunjan Pillai : The late Mr. Watt's orders were as follows :—

> "There is no comparison between the last edition which was a mere compilation and the new edition which is a critical commentary and digest. In the manner of presentation, display and general get-up too, the new work far surpasses the old. The present editors and publishers have set a standard. The price of such a work cannot be judged solely or even primarily by the cost of mechanical production—paper, setting up, printing and binding. Value is determined not in the press alone but also often mainly in the authors sanctom and the editorial room. I do not think a volume like the one before me would be priced in England under 30 shillings."

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Mr. M. N. Paramesvaran Pillai: May I know from the member whether there is anything in this Regulations which could be claimed to be the production of the editor himself ?

Rao Sahib Dr. N. Kunjan Pillai: I hope the members will realise that bringing together the Regulations, Rules, Legislative Council Proceedings, case law, etc., in one volume is not an easy thing. I think it is more useful than the Digest.

Mr. M. N. Paramesvaran Pillai: May I know from the member whether that statement is made after a comparative study of the Regulations ?

Rao Sahib Dr. N. Kunjan Pillai: I make that statement and I am willing to be corrected by the Honourable member if I am wrong. I am not a lawyer myself. As I said, according to the late Mr. Watts it is not merely the cost of mechanical production, paper, setting up, printing and binding, but also the amount of labour involved that has to be considered in fixing the price.

Mr. E. P. Varghese: May I know whether the cost of Stationery has not gone down since 1105 ?

Rao Sahib Dr. N. Kunjan Pillai: It has gone down slightly.

Another point that was raised was why the Government Press could not do the printing. Yes, the Government Press could do the printing. There also it will cost money. The printing in the Government Press is done not by the permanent staff alone but also by piece-workers. So, if the work has been entrusted to the Government Press, additional piece-workers would have had to be engaged.

Mr. H.O. L.Marikar (*Minachil* cum *Devicolam*): If this work was done by the Government Press could not the Government save the import duty on paper ?

Rao Sahib Dr. N. Kunjan Pillai: Yes, they could.

Mr. Kayalam Paramesvaran Pillai: Is not the import duty a profit to Government ?

Rao Sahib Dr. N. Kunjan Pillai: Yes.

Mr. E. P. Varghese: May I know from the member whether the Regulations contained in this volume were not available in the Government Press ?

Rao Sahib Dr. N. Kunjan Pillai: Not all. Some of them are out of print.

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Mr. J. John Kattakayam: ഗവണ്മെൻറ് പ്രസ്സിൽ ചെയ്യിക്കുന്ന പക്ഷം ഇതിലും പകുതി ചിലവിനു തീരുമായിരുന്നു ഇതു് എന്നു മെമ്പർക്കറിയാമോ?

Rao Sahib Dr. N. Kunjan Pillai: ഇതിലും കൂടുതൽ ചിലവു വേണ്ടിവരുമായിരുന്നു എന്നു പറയുവാൻ ഭാവിക്കയാണു്; പക്ഷെ മെമ്പർ എന്നെ അതിനു സമ്മതിക്കുന്നില്ല എന്നേയൊള്ളൂ.

Rao Sahib Dr. N. Kunjan Pillai : It is not the printing alone that has to be taken into consideration. To prepare a volume like this an experienced officer would have had to be placed on special duty. Government are now revising the Land Revenue Manual. They have appointed an officer to do that work and he has been given a pretty large staff. They have been at it for nearly ten months and I do not know how long they will take to finish the work.

Mr. M. N. Paramesvaran Pillai : May I know from the member whether that officer is not put in charge of this work in addition to his duties ?

Rao Sahib Dr. N. Kunjan Pillai : But he is given an allowance for this work.

Mr. J. John Kattakayam: മേലാൽ ഇങ്ങനെയുള്ളവ പ്രസിദ്ധീകരിക്കുന്ന സന്ദർഭങ്ങളിൽ പരസ്യം ചെയ്തു പ്രൈവറ്റ് പ്രസ്സുകാരുടെ ശ്രദ്ധയെക്കൂടി ക്ഷണിക്കുന്നതിനു ശ്രമിക്കുമോ?

Rao Sahib Dr. N. Kunjan Pillai: ശ്രമിക്കാം.

If Government were to undertake the work they would have to incur the cost of the establishment besides the cost of paper and printing and I am sure they would have to spend in that case more than the amount they are going to pay for 800 copies.

Mr. E. P. Varghese : May I know from the member whether he has made a calculation of it ?

Rao Sahib Dr. N. Kunjan Pillai : Yes.

Mr. E. P. Varghese : May I know whether the member has come to this conclusion after making a calculation of the whole thing ?

Rao Sahib Dr. N. Kunjan Pillai : Sir, I have said that I have come to this conclusion after making the necessary calculations and I can't say anything more. It is open to the member to make his own calculations and show that I am wrong.

Mr. M. N. Paramesvaran Pillai : May I know from the member whether it is open to the publisher to sell the books at a lower price to the public ?

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Rao Sahib Dr. N Kunjan Pillai: Government have not made any agreement to that effect. The only agreement is that Government should buy 800 copies at Rs. 12 per copy. I beg your pardon, Sir, I am told that the publisher has to sell the book to the public also at the same price.

The demand was put to vote and carried.

Mr. P. Padmanabhan Tampi: I demand a poll.

A poll was taken and the House divided as follows:—

AYES—17.

1	Mr. S. Adam Sait	10	Mr. K. Parameswaran Pillai
2	„ R. Dhanuko i Pillai	11	„ S. Piraviperumal Pillai
3	„ M. Govinda Pillai	12	„ K. Padmanabha Panickar
4	„ M. Govindan	13	„ K. Rama Varma Raja
5	„ C. M. Joseph	14	„ R. M. Statham
6	Rao Sahib Dr. N. Kunjan Pillai	15	„ James Simpson
7	Mr. A. Kumara Pillai	16	„ Komil-zha hu Sankaran
8	„ R Nilakan a Pillai	17	„ G. B. E. Truscott
9	„ Kayalam Param svaran Pillai		

NOES—11.

1	Mr. Kochikal P. Balakrishnan Tampi	7	Mr. M. N. Parameswaran Pillai
2	„ J. John Kattakayam	8	„ K. Sankaralingam Pillai
3	„ M. P. Madhavan Pillai	9	„ Kattiyattu Sivarama Panickar
4	„ M. N. Narayana Menon	10	„ Thariatu Kunjitomman
5	„ N. K. Padmanabha Pillai	11	„ E. P. Varghese
6	„ P. Padmanabhan Tampi		

NEUTRALS—5.

1	Mr. V. S. Arumukham Pillai	3	Mr. H. O. L. Marikar
2	„ K. N. Kesavan Nampu-tiripad	4	„ G. Narayana Aiyar
		5	„ A. N. Visvanatha Pillai

The demand was declared carried, 17 voting *for*, 11 *against* and 5 remaining *neutral*.

The grant was made.

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